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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

NGHIEM, MICHAEL P

ART UNIT	PAPER NUMBER
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2861

DATE MAILED: 04/25/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/919,649

Applicant(s)

STURGEON ET AL.

Examiner

Michael P Nghiem

Art Unit

2861

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3-8,10,11 and 14-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 July 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

## DETAILED ACTION

### *Specification*

1. The disclosure is objected to because of the following informalities:

- "portion50" (page 10, line 1) should be -- portion 50 --.
- "handle114" (page 10, line 10) should be -- handle 114 --.

Similar problems exist throughout the specification.

Appropriate correction is required.

2. The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required: Claims 1, 10, the tab (or second tab) does not extend from the separate (or second separate) key element.

### *Drawings*

3. The drawings are objected to under 37 CFR 1.83(a) because they fail to show "handle 114" (page 10, line 10) as described in the specification. Any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing. MPEP § 608.02(d). Correction is required.

***Claim Objections***

4. Claims 1 and 11 are objected to because of the following informalities:

- claim 1, after "comprising", ",", should be -- : --.
- claim 11, after "comprising", ",", should be -- : --.

Appropriate correction is required.

***Claim Rejections - 35 USC § 112***

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-15 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The following limitations lack antecedent basis:

Claim 1, "the printer component", "the other of the printer component".

Claim 11, 15, "the first printer component".

The remaining claims are also rejected under 35 U.S.C. 112, second paragraph, for being dependent upon a rejected base claim.

**Claim Rejections - 35 USC § 102**

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 3-8, 10, 11, and 14-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Thoman et al. (US 5,519,422).

Thoman et al. discloses all the claimed features of the invention including:

- an inkjet printer (Fig. 6) and method for establishing a detachable printer component compatibility with a printer component mount in a printer mechanism (Fig. 6),

comprising:

- a chassis (84);
- a motor (Inherent feature of an inkjet printer, motor of 85 that drives 82);
- a carriage (82) operably secured to the chassis and driven by the motor for reciprocal movement relative to the chassis (Fig. 5);
- a printhead (printhead of 112) operably secured to the carriage (Fig. 6), in fluid communication with an ink reservoir (Fig. 2's), and in electrical communication with a controller (Inherent feature of an inkjet printhead and printer);

- a printer component mounting portion (compartment of 82 receiving 112) operably secured to the printer;
- a separate key element (slots of 82 receiving 132, 134) secured to the component mounting portion, adjacent to said printer component (112);
- at least one tab (132) extending from one of the printer component (Fig. 6), said at least one tab positioned and oriented in a defined and unique tab pattern thereby indicating a required characteristic of the printer component (Fig. 6);
- the other of the printer component and said separate key element having at least one mating slot (slots of 82 receiving 132, 134) positioned and aligned to receive said at least one tab (Fig. 6), thereby allowing the printer component to be operably secured to the mounting portion and preventing similarly shaped printer components that have a different tab pattern from being operably secured to the printer component mounting portion (Abstract, lines 1-5);
- said printer component is an ink reservoir (112);
- said printer component is an ink/printhead cartridge (112);
- said printer component is a printhead (112);
- said separable key element includes a unique slot (slot of 82 receiving 144) for operably engaging a protrusion (144) extending from said printer component mounting portion, thereby allowing said separable key to be secured to said printer component mounting portion, and preventing key elements that are missing said unique slot from being secured to said printer component mounting portion (without slot, 118 cannot fit in 82);

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- said separable key element further includes a display surface (surfaces of tabs 132, 134) for visually indicating said required characteristic of the printer component (Fig. 6);

- a second printer component (114);

- a second printer component mounting portion (compartment of 82 receiving 114) operably secured to the printer;

- a second separate key element (slots receiving 136, 138) secured to the second component mounting portion, adjacent to said second printer component (Fig. 6);

- a second at least one tab (136, 138) extending from one of the second printer component (Fig. 6), said second at least one tab positioned and oriented in a defined and unique second tab pattern, different from the tab pattern of said at least one tab (Fig. 6), thereby indicating a required characteristic of the second printer component; and

- the other of the second printer component and said second separate key element having at least one second mating slot positioned and aligned to receive said second at least one tab (Fig. 6), thereby allowing the second printer component to be operably secured to the mounting portion and preventing similarly shaped printer components that have a different tab pattern from said second tab pattern from being operably secured to the second printer component mounting portion (Fig. 6);

- said first mounting portion is mounted to said carriage defining an on-axis ink reservoir (Figs. 5, 6);

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- first inserting a toe end of the printer component into a forward mount (Fig. 8a);
- lowering the opposite rearward end of the printer component into a rearward mount (Fig. 8b) such that the key passes through the key element when the rearward end of the printer component is lowered toward the component mount (Fig. 6).

***Allowable Subject Matter***

7. Claims 2, 9, 12, and 13 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Reasons For Allowance***

8. The combination and method as claimed wherein said separate key element is detachably secured to said mounting portion (claims 2, 12) or said display surface including a label displaying surface indicia thereon to indicate said required characteristic of the printer component (claim 9) is not disclosed, suggested, or made obvious by the prior art of record.



***Conclusion***

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Stephens (US 4,907,019) discloses an inkjet cartridge having a keying system (Figs. 2, 3, 7).

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Nghiem whose telephone number is (703) 306-3445. An inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist at (703) 308-0956.

  
Michael Nghiem

April 22, 2002